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Suriname

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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Please recycle

I. Background and framework

A. Scope of international obligations[1]

1. International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified not accepted*
Ratification, accession or succession	ICERD (1984)	OP-CRC-SC (2012)	ICCPR-OP 2
	ICESCR (1976)		CAT
	ICCPR (1976)		OP-CAT
	CEDAW (1993)		OP-CRC-AC (signature, 2002)
	CRC (1993)		ICRMW
	OP-CRC-AC (signature, 2002)		CRPD (signature, 2007)
	CRPD (signature, 2007)		ICPPED
Reservations and/or declarations			
Complaints procedures, inquiries and urgent action[3]	ICCPR-OP 1 (1976)		ICERD, art. 14
			OP-ICESCR
			ICCPR, art. 41
			OP-CEDAW
			OP-CRC-IC
			OP-CRPD

2. Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession			Convention on the Prevention and Punishment of the Crime of Genocide
	Rome Statute of the International Criminal Court		
	Palermo Protocol[4]		
	Conventions on refugees and stateless persons (except 1954 and 1961 conventions on statelessness)[5]		1954 and 1961 conventions on statelessness

Status during previous cycle	*Action after review*	*Not ratified*
Geneva Conventions of 12 August 1949 and Additional Protocols I and II[6]		Additional Protocol III to the 1949 Geneva Conventions[7]
ILO fundamental conventions except Nos. 100, 111 and 138[8]		ILO Conventions Nos. 100, 111 and 138[9]
		ILO Conventions Nos. 169 and 189[10]
		Convention against Discrimination in Education

1. The Committee on the Elimination of Racial Discrimination encouraged Suriname to consider ratifying those international human rights treaties which it had not yet ratified, as well as the Inter-American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance.[11]

2. The Human Rights Committee encouraged Suriname to consider acceding to ICCPR-OP2, CAT and OP-CAT.[12]

3. The United Nations country team recommended that Suriname accede to CAT and ratify OP-CEDAW and the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).[13]

4. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the Committee on the Elimination of Racial Discrimination recommended that Suriname accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.[14]

5. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that Suriname should be strongly encouraged to ratify the Convention against Discrimination in Education.[15]

B. Constitutional and legislative framework

6. The Human Rights Committee was concerned that the draft bill on the establishment of a constitutional court, with the power to verify against international human rights treatics the purport of acts, had been pending before the National Assembly for a significant period of time. The Committee encouraged Suriname to establish without delay the constitutional court envisaged in the Constitution with appropriate qualifications and independence.[16] The Committee on the Elimination of Racial Discrimination made similar recommendations.[17]

7. The Human Rights Committee recommended that Suriname further develop existing mandatory training programmes to raise awareness among judges, lawyers and prosecutors about the Covenant and its applicability in domestic law to ensure that its provisions were taken into account before domestic courts.[18]

C. Institutional and human rights infrastructure and policy measures

8. The country team noted that in 2015 Suriname had passed legislation establishing a national human rights institution. However, according to the country team, the legislation did not specify the mandate of such an institution. Furthermore, the institution would not be

independent, as it would fall under the direction of the Ministry of Home Affairs and subsequently the Cabinet of the President.[19]

9. The Committee on the Elimination of Racial Discrimination recommended that Suriname establish an independent human rights institution with a broad mandate for the promotion and protection of human rights in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).[20] The Human Rights Committee made a similar recommendation.[21]

Status of national human rights institutions[22]

National human rights institution	*Status during previous cycle*	*Status during present cycle*[23]
National human rights institute		Not accredited

10. The country team recommended that Suriname establish the Child Ombuds Bureau, as recommended by the Committee on the Rights of the Child to establish an independent national commission on children's rights.[24]

11. UNESCO stated that Suriname could be encouraged to further integrate human rights education into school curricula.[25]

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

12. The Human Rights Committee reiterated its concern about the absence of a specific procedure or mechanism to examine and give effect to its Views under the Optional Protocol to the International Covenant on Civil and Political Rights. In that regard, the Committee regretted that no significant progress had been made in the case of *Baboeram-Adhin et al. v. Suriname*.[26]

13. The Committee on the Elimination of Racial Discrimination recommended that Suriname take all measures necessary to address the recommendations from its previous concluding observations and its decisions under the early warning and urgent action procedures that had not been fully or sufficiently implemented.[27]

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
Committee on the Elimination of Racial Discrimination	March 2009	2013	August 2015	Combined sixteenth to eighteenth reports due in 2019
Committee on Economic, Social and Cultural Rights	June 1995	-	-	Second report overdue since 1995

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
Human Rights Committee	March 2004	2013	November 2015	Fourth report due in 2020
Committee on the Elimination of Discrimination against Women	January 2007	-	-	Combined fourth and fifth reports overdue since 2010
Committee on the Rights of the Child	February 2007	2014	-	Combined third and fourth reports pending consideration; initial OP-CRC-SC report overdue since 2014

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
Committee on the Elimination of Racial Discrimination	2016	Establishment of the constitutional court, establishment of an independent human rights institution, reform and regulation of the gold-mining sector and the use of mercury.[28]	-
Human Rights Committee	2016	National human rights institution, impunity for past human rights violations and judicial control of detention.[29]	-

B. Cooperation with special procedures[30]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	-	Indigenous peoples
Visits agreed to in principle	-	
Visits requested	-	
Responses to letters of allegation and urgent appeals	During the period under review, three communications were sent. The Government did not reply to the communications.	
Follow-up reports and missions		

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

14. Suriname contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2012.[31]

15. The Committee on the Elimination of Racial Discrimination encouraged Suriname to request technical assistance from OHCHR in establishing an independent national human rights institution.[32]

III. Implementation of international human rights obligations

A. Equality and non-discrimination

16. Concerning universal periodic review recommendation 73.23, UNHCR welcomed the decision by Suriname to amend Law No. 4 of 24 November 1975 on Nationality and Residence to ensure gender equality in the transmission of nationality. According to UNHCR, in July 2014, the National Assembly of Suriname had passed the Draft Law on Nationality and Residency (*Ontwerpwet op de Nationaliteit en het Ingezetenschap*), amending the 1975 Law. The new law gave women the same right as men to confer their nationality to their spouses and introduced important safeguards to prevent statelessness due to loss of nationality.[33]

17. In that regard, earlier in 2014, the Working Group on the issue of discrimination against women in law and in practice had sent a communication to Suriname, noting that legislation in Suriname discriminated against women in that children born abroad to unmarried parents acquired Surinamese citizenship by descent if their father was a Surinamese citizen but not if their mother was.[34]

18. The Human Rights Committee remained concerned that discriminatory legislation in relation to gender remained in force. It recommended that Suriname expedite the revision of the Identity Act and the Personnel Act to repeal or amend provisions that were inconsistent with the Covenant, including those that discriminated on the basis of gender.[35]

19. The Committee noted the acknowledgment by Suriname that there were still concerns that certain jobs went to women and others to men. It recommended that Suriname take concrete measures to eliminate gender biases and stereotypes regarding the roles and responsibilities of men and women in the family and society.[36]

20. The country team indicated that women in Suriname still faced significant challenges in the area of gender equality. It recommended that Suriname continue efforts to enhance the position of women; provide protection from violence, including by the full implementation of the 2009 Law on Combating Domestic Violence; and address legislative gaps related to the rights of women.[37]

21. The Committee on the Elimination of Racial Discrimination recommended that Suriname draw up a general law that prohibited and defined racial discrimination and included all the elements contained in article 1 (1) of the Convention, and that covered acts of direct or indirect discrimination in all fields of law and public life. It also recommended that Suriname align its legislation with article 4 of the Convention by including therein a provision prohibiting organizations that promoted and incited racial discrimination.[38]

22. The Committee was concerned about reports of the persistence of a caste system in certain communities of Indian origin living in the State party. It recommended that Suriname take steps to identify specific communities and persons who might suffer from

such practices and, if applicable, to adopt specific measures to combat and eradicate such discriminatory practices.[39]

23. The Committee was also concerned about the situation of indigenous and tribal peoples and persisting discrimination faced by them in the full enjoyment of their collective and individual rights.[40]

24. The Committee was concerned about reports of discrimination experienced by regular and irregular migrants in the enjoyment of their rights. It encouraged Suriname to ensure access to education, employment and health services without discrimination to all persons under its jurisdiction.[41]

25. In relation to universal periodic review recommendation 73.12, UNHCR was concerned that the lack of birth registration had become a factor contributing to the exclusion of many migrant children from the enjoyment of their fundamental rights and recommended that Suriname issue birth certificates to all children born on its territory.[42] The Human Rights Committee and the Committee on the Elimination of Racial Discrimination expressed similar concerns.[43] The latter Committee recommended that Suriname remove administrative barriers and discriminatory practices that prevented children born to foreign parents from acquiring nationality at birth; introduce safeguards to prevent statelessness; and address discriminatory practices in the application of its 1975 Law on Nationality and Residence, as amended, particularly in the context of birth registration.[44]

26. The country team recommended that Suriname enact specific legislation on the prevention of discrimination based on sexual or gender orientation.[45]

B. Right to life, liberty and security of person

27. In March 2015, the United Nations High Commissioner for Human Rights welcomed the adoption by Suriname of the law to eliminate the death penalty from its penal code and noted that this decision followed its commitment during its previous universal periodic review in 2011 to support the recommendations[46] calling for the abolition of the death penalty.[47]

28. The Human Rights Committee welcomed the elimination, on 13 April 2015, of the death penalty from the penal code but regretted that Suriname had not yet amended its military penal code accordingly.[48]

29. The country team noted a very high suicide rate, especially among young people, adding that, despite widespread social concern about the alarming numbers of suicides, the response of the Government had been limited and fragmented.[49]

30. The Human Rights Committee was concerned that Suriname's criminal legislation did not adequately ensure that acts covered by the internationally accepted definition of torture were fully criminalized. It recommended that Suriname amend the penal code to include a definition of torture in line with internationally established norms and establish an independent complaint mechanism with the authority to investigate all reported allegations of and complaints about acts of torture and ill-treatment.[50]

31. The Committee also remained concerned by reports of substandard conditions of detention, mainly overcrowding and poor sanitation, in police stations and other temporary detention facilities. It recommended that Suriname adopt effective measures to ensure conditions of detention that respected the dignity of prisoners, including through the application of non-custodial measures.[51]

32. The Committee was concerned that a person arrested or detained on a criminal charge might be held in police custody for three or four days before being brought before a prosecutor, who could decide to extend the detention for a further period without judicial review. It recommended that Suriname adopt legislation to ensure that anyone arrested or detained on a criminal charge was brought before a judge within 48 hours.[52]

33. While noting the adoption of the mental health work plan for the period 2015-2017, the Committee recommended that Suriname revise its laws and practices in the field of mental health in order to avoid arbitrary detention.[53]

34. The Committee was concerned about reports of arbitrary detention and ill-treatment of lesbian, gay, bisexual, transgender and intersex persons, especially transgender women, by members of the security forces.[54]

35. According to the country team, lack of data was a challenge and a constraint for developing a comprehensive child protection system.[55] The United Nations Development Assistance Framework for the period 2012-2016 indicated that households headed by women, pervasive child marriage and teenage pregnancies had a significant impact on the ability of families to adequately protect their children from violence, neglect and abuse.[56]

36. The country team reported that, although sexual abuse of children was penalized in law, and despite the ratification of OP-CRC-SC, the number of prosecutions in such cases was still low. The majority of sexual abuse cases remained unreported due to weaknesses in the area of early detection. There was also a severe shortage of qualified service providers to counsel and treat child victims.[57]

37. The Human Rights Committee observed that, although corporal punishment was explicitly prohibited in the penal system, it continued to be prevalent and accepted in society.[58] The country team stated that legal provisions against violence and abuse were not interpreted as prohibiting all corporal punishment in child-rearing.[59] The Human Rights Committee recommended that Suriname take practical steps to put an end to corporal punishment of children in all settings, encourage non-violent forms of discipline as alternatives and conduct public information campaigns to raise awareness about the harmful effects of corporal punishment.[60] UNESCO made a similar recommendation.[61]

38. The country team stated that about 6 per cent of children aged 5 to 14 were involved in child labour. Differences between urban, rural coastal and rural interior areas were considerable: 3 per cent, 6.5 per cent and 17.8 per cent, respectively. Children, primarily boys, working in (illegal) gold mines was a frequently observed phenomenon. The country team urged Suriname to take concrete actions to eliminate the worst forms of child labour, and revise the Decree on Labour Inspection to take into consideration the possibility of authorizing labour inspectors to supervise the working conditions of children engaged in the informal sector.[62]

39. The Committee on the Elimination of Racial Discrimination, the Human Rights Committee and UNHCR noted the adoption of the national strategy to combat human trafficking in April 2014.[63] UNHCR indicated that Suriname was a source and destination country for women, men and children who were subjected to sex trafficking and forced labour;[64] however, Suriname did not fully comply with the minimum standards for the elimination of trafficking.[65] The Committee on the Elimination of Racial Discrimination regretted the absence of national anti-trafficking legislation and formal comprehensive assistance for victims of trafficking.[66] The Human Rights Committee was concerned about the difficulties victims of human trafficking experienced in receiving access to effective protection, shelter and reparation.[67]

40. The ILO Committee of Experts on the Application of Conventions and Recommendations expressed concern regarding the absence of support for child victims of

trafficking and prostitution, and urged Suriname to intensify its efforts to ensure that appropriate services were available for child victims, including their rehabilitation and social integration.[68]

C. Administration of justice, including impunity, and the rule of law

41. The Human Rights Committee was concerned about numerous shortcomings in the judicial system. It recommended that Suriname furnish the justice system with appropriate human and financial resources so that it could operate effectively, recruit and train a sufficient number of judges and prosecutors to ensure adequate administration of justice and respect for fair trial guarantees throughout the country, and take all steps necessary to ensure the independence of the judiciary, including adequate salaries for judges.[69]

42. The country team noted that the ability of citizens to access justice was compromised by the exorbitant costs of securing a lawyer, which were beyond the reach of a significant number of citizens. The Human Rights Committee expressed concern over the adequacy of legal aid services for low-income persons.[70] The country team noted that the Government provided legal aid to citizens by providing lawyers, but that the availability of such lawyers was compromised by low legal fees.[71]

43. The Human Rights Committee was concerned that there was a lack of clarity and uniformity with regard to the rules governing communication between defence lawyers and inmates, and that such communications could be unduly restricted.[72]

44. The Committee on the Elimination of Racial Discrimination was concerned about the persistent discriminatory nature of the judicial system, which did not allow indigenous and tribal peoples to have access to justice and effective remedies through their institutional structures. The Committee urged Suriname to ensure that indigenous peoples were provided with effective remedies for all infringements of their individual and collective rights, in particular in relation to the enjoyment of property rights. The Committee also urged Suriname to recognize the collective legal personality of indigenous and tribal peoples.[73]

45. The Human Rights Committee recommended that Suriname ensure that cases of gender-based violence were thoroughly investigated; that perpetrators were prosecuted and, if convicted, punished with appropriate sanctions; and that victims were adequately compensated. It also recommended that Suriname provide mandatory training for law enforcement and judicial officers, prosecutors and social workers on prosecuting perpetrators of gender-based violence, and facilitate victims' access to justice.[74]

46. In 2012, the United Nations High Commissioner for Human Rights was disturbed by the decision of the National Assembly to pass an amendment to the existing amnesty law, granting immunity for human rights violations committed during a 12-year period when the country had been for the most part under military rule. The amendment extended the period covered to include offences that had taken place between 1 April 1980 and 19 August 1992 "in the context of the defence of the State".

47. In that connection, the High Commissioner noted the case initiated in 2007 against President Desiré Bouterse and 24 others. They had been accused of taking part in the arrest of 15 prominent opposition leaders, including journalists, lawyers and a trade union leader, in December 1982, and their subsequent summary execution in a colonial fort in the capital, Paramaribo. The High Commissioner indicated that the amendment to the amnesty law would deny most families of victims their rights to justice, truth and reparation, and that it clearly conflicted with Suriname's international obligations.[75]

48. The Human Rights Committee expressed similar concern over Suriname's reliance on the amendment, as well as the absence of the yet-to-be-established constitutional court

to suspend the prosecution brought against President Desiré Bouterse and 24 others, despite the Views set out by the Committee in *Baboeram-Adhin et al. v. Suriname*.[76]

49. The Committee indicated that the Moiwana massacre of 1986 and other grave human rights violations that had occurred during the de facto military regime continued to go unpunished. It also noted with concern the reluctance of some witnesses to testify in relation to that case.[77]

50. The Committee on the Elimination of Racial Discrimination expressed serious concerns about the delay, and the lack of any concrete information indicating real progress made, in implementing the judgements of the Inter-American Court of Human Rights in the *Moiwana Community* (2005) and *Saramaka People* (2007) cases. The Committee urged Suriname to comply with legally binding Court rulings and, in particular, take steps to expedite the demarcation and titling of territories, the granting of legal recognition of collective juridical capacity and the punishment of the perpetrators of the Moiwana Village massacre in 1986.[78]

51. The country team indicated that Suriname had invested in Opa Doeli, a child-friendly youth facility for 12- to 18-year-olds awaiting trial. However, it added that there was still a need for a correctional facility that would meet the minimum requirements for the protection of juveniles deprived of their liberty.[79]

52. The country team stated that children were not always separated from adults in detention, partly due to limited facilities. Girls between the ages of 12 and 18 who had received a custodial sentence and who did not remain at Opa Doeli were placed in the women's section, along with other convicted women, in the Santa Boma adult prison. Furthermore, boys aged 16 and older who had been convicted of very serious offences were generally placed directly in the adult wing.[80] The Human Rights Committee recommended that Suriname ensure that juveniles were segregated from adults in all places of detention.[81]

D. Right to privacy, marriage and family life

53. The country team stated that same-sex sexual activity was not illegal, but that same-sex unions, same-sex marriages and adoption by same-sex couples were not legally recognized.[82]

54. The Human Rights Committee noted that the minimum age of marriage had been raised to 15 years for women and 17 years for men. It remained concerned, however, that the minimum age for marriage was too low and that it discriminated on the basis of sex. It recommended that Suriname amend its laws so as to bring the minimum age for marriage into line with international standards.[83]

E. Freedom of expression, and right to participate in public and political life

55. UNESCO indicated that defamation was regarded as a criminal offence and could be punished by fines or prison terms of up to three years.[84] The Human Rights Committee raised similar concerns and stated that criminalization of defamation might discourage the media from publishing critical information on matters of public interest.[85] UNESCO encouraged Suriname to decriminalize defamation and place it within the civil code in accordance with international standards.[86]

56. UNESCO noted the absence of freedom of information legislation and recommended that Suriname introduce a freedom of information law that was in accordance with international standards.[87]

57. The Human Rights Committee remained concerned that women continued to be significantly underrepresented in decision-making positions in the Cabinet and in local government, as well as in the private sector. It recommended that Suriname further strengthen its efforts to increase the participation of women in the political and public domains, if necessary through the adoption of temporary special measures.[88]

58. The Committee on the Elimination of Racial Discrimination remained concerned about the limited participation of members of tribal and indigenous peoples in public life and governmental bodies, and in the development and approval of public standards and policies, including those directly affecting their rights. The Committee recommended that Suriname take special measures to increase the number of representatives of indigenous and tribal peoples, in particular women, within political bodies and adopt mechanisms aimed at ensuring that representatives of indigenous and tribal peoples participated in the design and approval of public standards and policies.[89]

F. Right to work and to just and favourable conditions of work

59. The United Nations Development Assistance Framework for the period 2012-2016 noted that women were not empowered to compete in the labour market on an equal footing with men and could not reach their full socioeconomic potential. Unemployment also affected large numbers of young people in particular.[90]

G. Right to social security and to an adequate standard of living

60. The United Nations Development Assistance Framework for the period 2012-2016 indicated that progress in eradicating poverty had been limited and uneven, and that poverty was widespread and concentrated in more isolated areas of the country, particularly in the interior districts of Brokopondo and Sipaliwini. It noted a weak level of consensus, knowledge and skills among policymakers and decision makers with regard to pursuing human-rights-based and gender-sensitive approaches to poverty reduction.[91]

61. The Committee on the Elimination of Racial Discrimination was concerned about reports of the high level of use and dispersion of mercury in gold mining and its negative impact on the environment and on the means of subsistence and the health of indigenous and tribal peoples. The Committee recommended that Suriname take specific measures to ensure that no mercury was used or dispersed on territories occupied by indigenous and tribal peoples, that contaminated areas were cleaned and that indigenous and tribal peoples affected were given access to clean, drinkable water and health care and were entitled to effective remedies and adequate compensation for the territories contaminated by mercury.[92]

H Right to health

62. The Pan American Health Organization (PAHO) indicated that the main challenges in providing health services included covering the sparsely populated areas in the country's interior and the fragmentation of the health-care system. For the provision of direct care, there were three main subsystems: the medical mission, regional health services and the Ministry of Health (Bureau of Public Health). Each subsystem specialized in different population segments, depending on geographic location, employment, income level, ability to pay and social status.[93]

63. PAHO also indicated that access to specialized care for those living in the interior remained limited, with people there who needed services having to travel to Paramaribo.

Emergency care was of particular concern, especially in cases of emergency obstetric care and specialized neonatal care.[94]

64. PAHO noted that gender inequalities had been documented in various health outcomes, such as life expectancy and the prevalence of communicable and non-communicable diseases.[95] The United Nations Development Assistance Framework for the period 2012-2016 indicated that the persistent high rate of teenage pregnancy called for increased access to and utilization of reproductive health services, including family planning and sexual and reproductive health education.[96]

65. The country team indicated that it would be important for Suriname to continue effective promotion of the consistent use and sufficient availability of affordable condoms, strengthen care for persons living with HIV, and improve access by marginalized and vulnerable populations to quality sexual and reproductive health-care services.[97]

I. Right to education

66. UNESCO noted that, in 2012, Suriname had abolished all school tuition, which had improved access to education, notably for families living in the interior of the territory, and the situation of poor family households. UNESCO recommended that Suriname be encouraged to further continue its work towards implementing better access to education for all, including the population living in the interior, the poorest and children with disabilities.[98]

67. The country team indicated that, despite a net enrolment rate of over 98 per cent for primary education in 2013, the education sector was facing challenges, including with regard to the quality of education and access to education in different geographical areas. According to the country team, only 66.2 per cent of children living in urban areas attended secondary school; for children in the interior, that number was even lower, at 21 per cent. The country team recommended that Suriname improve access to and quality of education across geographical areas.[99]

J. Persons with disabilities

63. The country team indicated that children with physical or mental disabilities faced many challenges, such as inadequate care; limited opportunities for education, career and a social network; and continued experiences of stigma and discrimination.[100]

K. Minorities and indigenous peoples

69. In 2011, the Special Rapporteur on the rights of indigenous peoples stated that Suriname must adopt measures to secure the rights of indigenous and tribal peoples, and that those measures should comply with international standards and the legally binding judgments of the Inter-American Court of Human Rights.[101] The Special Rapporteur was pleased that the Government had expressed its commitment to developing new legislation in that area and to implementing the Court's judgments, and that it had taken some initial steps towards that end.[102]

70. The Special Rapporteur took note of the proposal of indigenous representatives, which had been accepted by the Government, to have a framework law that broadly addressed indigenous and tribal peoples and their rights, which would include or be accompanied by specific legislative provisions or regulations regarding land and resources.[103]

71. The Special Rapporteur stated that some formally structured platform and corresponding procedure should be established to advance the consultations with indigenous and tribal peoples on the development of legislation and any related measures to secure their rights, noting that there was a proposal to form a joint commission. He added that indigenous and tribal peoples should be permitted to name their own representatives to such a joint commission. Additionally, such a commission should establish an agreed-upon timetable, as well as clear and measurable benchmarks by which progress for development of relevant legislation and any related regulatory measures might be assessed. The Special Rapporteur also stated that it was advisable to involve international experts and international institutions in the process. He recommended that the Government seek the assistance of the Inter-American Commission on Human Rights to help facilitate and orient initial negotiations.[104]

72. The Committee on the Elimination of Racial Discrimination was concerned that the draft law acknowledging the traditional authorities of indigenous and tribal peoples did not adequately reflect their customs. The Committee reiterated its recommendation concerning the drawing up of a framework law on the rights of indigenous and tribal peoples and recommended that this framework law comply with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.[105]

73. The Committee was also concerned about the pervasive and persistent discrimination that characterized the enjoyment of indigenous and tribal peoples' property rights and about the absence of any specific legislative framework guaranteeing the effective enjoyment of their collective rights. The Committee urged Suriname to ensure legal acknowledgement of the collective rights of indigenous and tribal peoples to own, develop, control and use their lands, resources and communal territories according to customary laws and traditional land-tenure systems and to participate in the exploitation, management and conservation of the associated natural resources.[106]

74. The Committee was further concerned about discrimination reportedly faced by indigenous and tribal peoples in the full enjoyment of their cultural and economic rights in natural reserves established on their ancestral lands. It recommended that Suriname ensure that an adequate cultural, environmental and social impact assessment was conducted in collaboration with those peoples concerned prior to the granting of concessions or the planning of activities. The Committee also recommended that Suriname adopt all measures to guarantee that national reserves established on ancestral territories of indigenous and tribal peoples allowed for sustainable economic and social development compatible with the cultural characteristics and living conditions of those indigenous communities.[107]

75. The Human Rights Committee was concerned that indigenous and tribal peoples were not sufficiently consulted in the decision-making processes with respect to issues of interest to their communities. In that regard, concessions and licenses on the land they claimed continued to be granted for extractive use, including mining operations, and the execution of large-scale development projects, without prior consultation of indigenous communities.[108] The Committee on the Elimination of Racial Discrimination raised similar concerns and urged Suriname to obtain the free, prior and informed consent of indigenous and tribal peoples prior to the approval of any project affecting their lands.[109]

76. In 2012, the Special Rapporteur on indigenous peoples sent a communication about the health and environmental effects of small-scale gold-mining operations on the traditional lands of the Wayana indigenous communities of Apetina and Anapaike in south-eastern Suriname. A major concern expressed was the effects of the contamination of water and fish consumed by members of those communities as a result of the use of mercury by small-scale miners.[110]

77. The Committee on the Elimination of Racial Discrimination reiterated its concern that no special measures were being taken to preserve the languages of the country's indigenous and tribal peoples. The Committee recommended that Suriname take effective measures to ensure that the children of indigenous and tribal peoples had access to an education that took into account the need to preserve their languages and cultures; consider introducing, as appropriate, the study of native languages; and take special measures to increase attendance rates and reduce the dropout rates of children belonging to indigenous and tribal peoples.[111]

L. Migrants, refugees and asylum seekers

78. UNHCR stated that Suriname faced a complex phenomenon of mixed migratory movements across the Caribbean and that it was crucial for Suriname to further strengthen its capacity to appropriately manage those movements in coordination and cooperation with countries in the region.[112]

79. The Committee on the Elimination of Racial Discrimination regretted the absence of a national law ensuring the adequate and effective protection of the rights of refugees and recommended that Suriname consider drafting and enacting a national refugee law.[113] UNHCR made a similar recommendation.[114]

M. Human rights and counter-terrorism

80. The Human Rights Committee was concerned that eight-day incommunicado detention without legal representation could be ordered by the prosecutor or a court in the interest of an ongoing investigation, including in cases of drug trafficking or terrorism.[115]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Suriname from the previous cycle (A/HRC/WG.6/11/SUR/2).

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure

ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[2] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP- CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC- IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP- ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

[4] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[5] 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

[6] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[7] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[8] International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Abolition of Forced Labour Convention,1957 (No. 105); and Worst Forms of Child Labour Convention, 1999 (No. 182).

[9] International Labour Organization Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation Convention, 1958 (No. 111); and Minimum Age Convention, 1973 (No. 138).

[10] ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).

[11] See CERD/C/SUR/CO/13-15, para. 38.

[12] See CCPR/C/SUR/CO/3, paras. 20 and 24.

[13] Country team submission for the review of Suriname, p. 1.

[14] UNHCR submission for the review of Suriname, p. 8; and CERD/C/SUR/CO/13-15, para. 38.

[15] See UNESCO submission for the review of Suriname, para. 34.1.

[16] See CCPR/C/SUR/CO/3, paras. 5-6.

[17] See CERD/C/SUR/CO/13-15, paras. 11-12.

[18] See CCPR/C/SUR/CO/3, para. 6.

[19] Country team submission, p. 2.

[20] See CERD/C/SUR/CO/13-15, paras. 13-14.

[21] See CCPR/C/SUR/CO/3, para. 10.

[22] According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles), B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

[23] The list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights is available from http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf.

[24] Country team submission, p. 2.

[25] See UNESCO submission, para. 34.5.
[26] See CCPR/C/SUR/CO/3, para. 7.
[27] See CERD/C/SUR/CO/13-15, paras. 7-8; see also letters dated 2 September 2011 and 9 March 2012 from the Committee on the Elimination of Racial Discrimination to the Permanent Representative of Suriname to the United Nations, available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/SUR/INT_CERD_ALE_SUR_5544_E.pdf and http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/SUR/INT_CERD_ALE_SUR_5543_E.pdf, respectively.
[28] See CERD/C/SUR/CO/13-15, paras. 12, 14 and 28
[29] See CCPR/C/SUR/CO/3, para. 50.
[30] For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.
[31] OHCHR, Human Rights Appeal 2013, p. 17.
[32] See CERD/C/SUR/CO/13-15, para. 14.
[33] UNHCR submission, p. 2.
[34] A/HRC/28/85, p. 124.
[35] See CCPR/C/SUR/CO/3, paras. 11-12.
[36] Ibid., paras. 13-14.
[37] Country team submission, p. 6.
[38] See CERD/C/SUR/CO/13-15, paras. 9-10.
[39] Ibid., paras. 15-16.
[40] Ibid., paras. 21-22.
[41] Ibid., paras. 19-20.
[42] UNHCR submission, pp. 5-6.
[43] See CCPR/C/SUR/CO/3, para. 44; and CERD/C/SUR/CO/13-15, para. 19.
[44] See CERD/C/SUR/CO/13-15, para. 20.
[45] Country team submission, p. 7.
[46] See A/HRC/18/12, paras. 73.32 (Canada), 73.33 (France), 73.34 (Spain), 73.35 (Belgium), 73.36 (Netherlands), 73.37 (United Kingdom of Great Britain and Northern Ireland) and 73.38 (Ecuador). For the position of Suriname, see A/HRC/18/12/Add.1.
[47] Press briefing notes on Myanmar and the abolition of the death penalty in Suriname and Côte d'Ivoire, 13 March 2015, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15694&LangID=E.
[48] See CCPR/C/SUR/CO/3, para. 19.
[49] Country team submission, p. 7.
[50] See CCPR/C/SUR/CO/3, paras.23-24.
[51] Ibid., paras. 35-36.
[52] Ibid., paras. 31-32.
[53] Ibid., paras. 37-38.
[54] Ibid., para. 27.
[55] Country team submission, p. 5.
[56] United Nations Development Assistance Framework 2012-2016, p. 14, available from www.sr.undp.org/content/dam/suriname/docs/UNDAF_Suriname_2012-2016_SIGNED_L.pdf.
[57] Country team submission, p. 4.
[58] See CCPR/C/SUR/CO/3, para. 45.
[59] Country team submission, p. 3.
[60] See CCPR/C/SUR/CO/3, para. 46.
[61] See UNESCO submission, para. 34.4.
[62] Country team submission, pp. 8-9.
[63] See CERD/C/SUR/CO/13-15, para. 17; CCPR/C/SUR/CO/3, para. 3 (c); and UNHCR submission, p. 4.
[64] UNHCR submission, p. 5.
[65] Ibid., p. 4.
[66] See CERD/C/SUR/CO/13-15, para. 17.
[67] See CCPR/C/SUR/CO/3, para. 29.
[68] ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Suriname, adopted in

2014, published 104th ILC session (2015), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3174278:YES.

[69] See CCPR/C/SUR/CO/3, paras. 39-40.
[70] Ibid., para. 33.
[71] Country team submission, p. 8.
[72] See CCPR/C/SUR/CO/3, para. 33.
[73] See CERD/C/SUR/CO/13-15, paras. 36-37.
[74] See CCPR/C/SUR/CO/3, para. 26.
[75] Press briefing notes on Suriname, 13 April 2012, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12055&LangID=E.
[76] See CCPR/C/SUR/CO/3, para. 21.
[77] Ibid.
[78] See CERD/C/SUR/CO/13-15, paras. 29-30.
[79] Country team submission, p. 4.
[80] Ibid., pp. 4-5.
[81] See CCPR/C/SUR/CO/3, para. 36.
[82] Country team submission, p. 6.
[83] See CCPR/C/SUR/CO/3, paras. 15-16.
[84] See UNESCO submission, para. 26.
[85] See CCPR/C/SUR/CO/3, para. 41.
[86] See UNESCO submission, para. 38.
[87] Ibid., paras. 27 and 37.
[88] See CCPR/C/SUR/CO/3, paras. 13-14.
[89] See CERD/C/SUR/CO/13-15, paras. 31-32.
[90] United Nations Development Assistance Framework 2012-2016, p. 14.
[91] Ibid., pp. 14 and 18.
[92] See CERD/C/SUR/CO/13-15, paras. 27-28.
[93] Pan American Health Organization, *Health in the Americas, 2012 Edition, Country Volume, Suriname*, p. 604.
[94] Ibid.
[95] Ibid., p. 595.
[96] United Nations Development Assistance Framework 2012-2016, p. 17.
[97] Country team submission, p. 9.
[98] See UNESCO submission, paras. 33 and 34.3.
[99] Country team submission, p. 9.
[100] Ibid., p. 10.
[101] Inter-American Court of Human Rights, *Moiwana Community v. Suriname*, judgement of 15 June 2005, series C, No. 124 (2005); and *Saramaka People v. Suriname*, judgement of 28 November 2007, series C, No. 172 (2007).
[102] See A/HRC/18/35/Add.7, para. 17.
[103] Ibid., para. 18.
[104] Ibid., paras. 21-22, 24 and 26-27.
[105] See CERD/C/SUR/CO/13-15, paras. 23-24.
[106] Ibid.
[107] Ibid., paras. 25-26.
[108] See CCPR/C/SUR/CO/3, para. 47.
[109] See CERD/C/SUR/CO/13-15, paras. 25-26.
[110] See A/HRC/24/41/Add.4, para. 143.
[111] See CERD/C/SUR/CO/13-15, paras. 33-35.
[112] UNHCR submission, p. 4.
[113] See CERD/C/SUR/CO/13-15, paras. 19-20.
[114] UNHCR submission, p. 4.
[115] See CCPR/C/SUR/CO/3, para. 33.